

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA BROTHERS, as Litigation Guardian
Ad-Litem for REYMON LEAVELL, a single
individual,

Plaintiff,

vs.

ESTEBAN MONREAL, SCOTT LAPIERRE,
BENJAMIN TIMBS, MOLLY ACCOMANDO,
FRANKLIN POBLOCKI, JONATHAN
GOODWIN, WALKER DICKSON, AND
CITY OF SEATTLE, a lawful municipal
corporation in the State of Washington, JOHN
DOES ONE THROUGH THREE,

Defendants.

No. 2:21-cv-01461-RSL

STIPULATION TO CONTINUE TRIAL
AND TO EXTEND CASE DEADLINES

STIPULATION

COME NOW the parties, by and through their respective counsel of record and hereby stipulate and request that the Court enter an order continuing trial in this matter to February 5, 2024 and amending the case deadlines as follows:

STIPULATION TO EXTEND CASE SCHEDULE DEADLINES
AND TRIAL DATE (2:21-cv-01461-RSL) - 1

Ann Davison
Seattle City Attorney
701 5th Avenue, Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

Event	Prior Date	Amended Date
Reports from expert witnesses under FRCP 26(a)(2) due	June 7, 2022	September 22, 2023
Discovery completed by All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2).	August 6, 2022	October 27, 2023
Settlement conference held by	August 20, 2023	October 30, 2023
Dispositive motions filed by All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)(3)).	September 5, 2022	November 13, 2023
Motions in limine All motions in limine must be filed by and noted on the motion calendar no earlier than the <u>second</u> Friday thereafter. Replies will be accepted.	November 6, 2023	January 8, 2024
Agreed Pretrial Order due	November 22, 2023	January 22, 2024
Pretrial conference to be scheduled by the Court		
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits	November 29, 2023	January 29, 2024
Trial (length 5-6 days)	December 4, 2023	February 5, 2024

STATEMENT OF GOOD CAUSE

This case arises out of Reymon Leavell's encounter with Seattle Police Department ("SPD") officers responding to an anonymous 9-1-1 call reporting the presence of an armed, suicidal male at a Seattle Public Library in the Madrona neighborhood of Seattle. Mr. Leavell, who is represented by a Litigation Guardian Ad Litem (collectively, "Plaintiff"), asserts claims for unreasonable seizure,

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1 excessive force, and negligence against the named defendant officers and the City of Seattle
2 (collectively, “Defendants”).

3 The parties have been diligently pursuing discovery, and have a mediation scheduled in this
4 matter for July 31, 2023 with mediator Brad Davis. In a joint effort to reduce costs and increase the
5 chance of settlement, the parties are requesting that the Court continue the case schedule to allow for
6 the cost of experts and expert discovery to be postponed until after mediation. The parties are also
7 seeking to postpone the deposition of Plaintiff Reymon Leavell, who has developmental disabilities,
8 until after mediation. The ability to avoid incurring significant expert expenses as well as taking Mr.
9 Leavell’s deposition will greatly increase the possibility of settlement at the July 31, 2023 mediation.

10 This Court previously granted extensions of certain case deadlines and one trial date
11 extension. *See Dkts. #13, 16.*

12 For the reasons stated herein, good cause exists for granting the requested extension of the
13 case schedule. The parties respectfully request that the trial date in this matter should be continued
14 from December 4, 2023 until February 5, 2024 and that the other case schedule deadlines be reset
15 as indicated above.

1 DATED this 26th day of May, 2023.

2
3 ANN DAVISON
4 Seattle City Attorney

5 By: /s/ Rebecca S. Widen
6 Rebecca S. Widen, WSBA# 57339
7 Assistant City Attorney

8 By: /s/ Natasha Khanna
9 Natasha Khanna, WSBA# 52870
10 Assistant City Attorney

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17 *Attorneys for Defendants City of Seattle,*
18 *Esteban Monreal, Scott LaPierre, Benjamin*
19 *Timbs, Molly Accomando, Franklin*
20 *Poblocki, Jonathan Goodwin and Walker*
21 *Dickson*

22 JAY H. KRULEWITCH, ATTORNEY AT LAW

23 By: /s/ Jay H. Krulewitch
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Seattle, WA 98125

Attorney for Plaintiff

ORDER

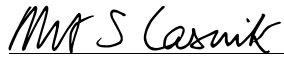
Based upon the foregoing Stipulation, IT IS HEREBY ORDERED that the trial date shall be continued to February 5, 2024, and case schedule shall be amended as follows:

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Reports from expert witnesses under FRCP 26(a)(2) due	June 7, 2022	September 22, 2023
Discovery completed by All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2).	August 6, 2022	October 27, 2023
Settlement conference held by	August 20, 2023	October 30, 2023
Dispositive motions filed by All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)(3)).	September 5, 2022	November 13, 2023
Motions in limine All motions in limine must be filed by and noted on the motion calendar no earlier than the <u>second</u> Friday thereafter. Replies will be accepted.	November 6, 2023	January 8, 2024
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701 5th Avenue, Suite 2050
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1 Dated this 30th day of May, 2023.

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3 Robert S. Lasnik
4 Senior United States District Court Judge
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